

MESSAGE NO: 2035213 MESSAGE DATE: 02/04/2002

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-580-807

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 06/01/1999 TO 05/31/2000

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR POLYETHYLENE
TEREPHTHALATE (PET) FILM FROM KOREA (A-580-807)

MESSAGE NO: 2035213

DATE: 02 04 2002

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

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CASES: A - 580 - 807

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PERIOD COVERED: 06 01 1999 TO 05 31 2000

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: AUTOMATIC LIQUIDATION INSTRUCTIONS FOR POLYETHYLENE
TEREPHTHALATE (PET) FILM FROM KOREA (A-580-807)

1. THE DEPARTMENT OF COMMERCE DOES NOT CONDUCT ADMINISTRATIVE
REVIEWS OF ANTIDUMPING FINDINGS OR DUTY ORDERS AUTOMATICALLY.
INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION
351.213(b) OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN
ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE
PERIOD AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS
NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE

COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON ALL MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE IN EFFECT ON THE DATE OF ENTRY.

POLYETHYLENE TEREPHTHALATE (PET) FILM PERIOD
FROM KOREA (A-580-807) 06/01/1999 - 05/31/2000

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

SKC CO., LIMITED

H.S. INDUSTRIES CO., LTD.

HYOSUNG CORPORATION

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE COMPLETION OF THE ADMINISTRATIVE REVIEW. THE EXCEPTED FIRMS CAN BE MANUFACTURERS/PRODUCERS, EXPORTERS, OR MANUFACTURERS/PRODUCER/EXPORTER COMBINATIONS. UNLESS NOTED OTHERWISE, ASSUME THE EXCEPTED FIRMS ARE MANUFACTURERS/PRODUCERS.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS AND ASSESS INTEREST ON UNDER-PAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING

DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." THE IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT MICHAEL HEANEY AT 202-482-4475, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party